

# **EXHIBIT 1**

COMBINED DECLARATION AND POWER OF ATTORNEY

**Attorney's Docket TNX-1088**

As a below named inventor, I hereby declare that:

This declaration is for an original application.

My residence, post office address and citizenship are as stated below next to my name. I believe I am an original and first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TREATMENT OF CANCER WITH NOVEL ANTI-IL13 MONOCLONAL ANTIBODIES,**

the specification of which was filed on December 23, 2003.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which I know to be material to the patentability of this application as defined in Title 37, Code of Federal Regulations, 1.56.

As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Cheryl A. Liljestrand  
Reg. No. 45,275

Send correspondence and direct telephone calls to:

Cheryl Liljestrand  
Tanox, Inc.  
10301 Stella Link  
Houston, TX 77025-5497  
(713) 578-4000

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America, or Section 119(e) for provisional applications, that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the Office information which I know to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

US Provisional Patent Application No. 60/532,130, filed December 23, 2003.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of **first inventor**: **Sei Chung Fung**

Inventor's signature: \_\_\_\_\_

Date: **6-14-06**

Country of Citizenship: United States of America

Residence and Post Office Address: 3511 Deal Street  
Houston, Texas 77025

Full name of **second inventor**: **Matthew Moyle**

Inventor's signature: \_\_\_\_\_

Date:

Country of Citizenship: United States of America

Residence and Post Office Address: 2511 Caney Creek Court  
Richmond, Texas 77469

I hereby claim the benefit under Title 35, United States Code, Section 120, of any United States application(s) or PCT international application(s) designating the United States of America, or Section 119(e) for provisional applications, that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose to the Office information which I know to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

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Full name of **first inventor**: **Sek Chung Fung**

Inventor's signature: \_\_\_\_\_

Date:

Country of Citizenship: United States of America

Residence and Post Office Address: 3511 Deal Street  
Houston, Texas 77025

Full name of **second inventor**: **Matthew Moyle**

Inventor's signature:  7/8/06

Date:

Country of Citizenship: United States of America

Residence and Post Office Address: 2511 Caney Creek Court  
Richmond, Texas 77469